PENMAR

R 1 5 2004 & REQUEST

CONTINUED EXAMINATION (RCE) TRANSMITTAL

To Commissioner For Patents

Please enter the following submission and withdraw the finality of the proceeding office action or withdraw any pending appeal and reopen prosecution before the Examiner.

>	RCE(17	11
Application Number	09/877,312	#
Filing Date	JUNE 8, 2001	1
First Named Inventor	Christophe Serbutoviez	
Group Art Unit	1772	
Examiner Name	Sow Fun Hon	
Attorney Docket Number	PHN 16,199B	

This is an RCE under 37 C.F.R. § 1.114 of the above-identified application (which is made prior to: payment of issue fee; abandonment; notice of appeal to the CAFC; or commencement of civil action under 35 U.S.C. 145 or 146.)

a. X Previously submitted i. X Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on				
(Any unentered amendment(s) referred to above will be entered). ii. Consider the arguments in the Appeal Brief or Reply Brief previously field on iii. Other				
iii. Other				
h Talland				
b Enclosed				
i. Amendment/Reply				
ii.				
iii. Information Disclosure Statement (IDS)				
iv. Other(may not be a brief)				
2. Miscellaneous				
months. (May not exceed 3 months; Fee required per 37 C.F.R. § 1.117(i)				
b Other				
3. Fees				
a. X The Commissioner For Patents is hereby authorized to charge all required fees except the issue fee or credit				
any overpayments, to Deposit Account No. 14-1270				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQURIED				
Name (Print Type) Eric Bram Registration No. (Attorney/Agent) 37,285				
AND - 2/4/04				
Signature Date 3[11] O				
CERTIFICATE OF MAILING OR TRANSMISSION				
I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents,				
Box RCE Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office tel# :on the date below:				
Name (Print Type) Edna Chapa				
Rame (Fill Type) Edna Chapa				

03/16/2004 HVUONG1 00000067 141270 09877312

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Commissioner for Patents United States Patent and Trademark Office

Washington, D.C. 20231

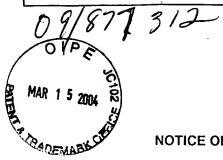
www.uspto.gov

APPLICATION NUMBER

FILING DATE

FIRST NAMED APPLICANT

ATTY, DOCKET NO./TITLE



	ğ	DATE MAILED:
BAREN	ABK CIE	NOTICE OF IMPROPER REQUEST FOR CONTINUED EXAMINATION (RCE)
The imp	e request for re	continued examination (RCE) under 37 CFR 1.114 filed on $2-5-9$ is ason(s) indicated below:
	Applicar	d examination under 37 CFR 1.114 does not apply to an application for a design patent. may wish to consider filing a continuing application under 37 CFR 1.53(b) or a CPA CFR 1.53(d).
	June 8,	d examination under 37 CFR 1.114 does not apply to an application that was filed before 995. Applicant may wish to consider filing a continuing application under 37 CFR 1.53(b) under 37 CFR 1.53(d).
	the appl the reply	d examination under 37 CFR 1.114 does not apply to an application unless prosecution in cation is closed. If the RCE was accompanied by a reply to a non-final Office action, will be entered and considered under 37 CFR 1.111. If the RCE was <u>not</u> accompanied by e time period set forth in the last Office action continues to run from the mailing date of that
	granted. a petitio	est was not filed before payment of the issue fee, and no petition under 37 CFR 1.313 was If this application has not yet issued as a patent, applicant may wish to consider filing eithe under 37 CFR 1.313 to withdraw this application from issue, or a continuing application CFR 1.53(b).
	or proce	nest was not filed before abandonment of the application. The application was abandoned, edings terminated on Applicant may wish to consider filing a under 37 CFR 1.137 to revive this abandoned application.
Ø	1.114.	est was not accompanied by the fee set forth in 37 CFR 1.17(e) as required by 37 CFR ince the application is not under appeal, the time period set forth in the final Office action of allowance continues to run from the mailing date of that action or notice.
	applicat	est was not accompanied by a submission as required by 37 CFR 1.114. Since the on is not under appeal, the time period set forth in the final Office action or notice of e continues to run from the mailing date of that action or notice.
the req	utility or pla	est for a continued prosecution application (CPA) under 37 CFR 1.53(d) has been filed in application (including a previously filed CPA) that was filed on or after May 29, 2000, the PA has been treated as a RCE because the CPA practice no longer applies to such a constructive RCE, however, is improper for reason(s) indicated above.

A copy of this notice MUST be returned with any reply.

		· ·
Direct the reply and any questions about this notice to:	<i>(</i>)	
anni Chamber , Examining Group	1700	
571277-91149		- '
(703) 30		
FORM PTO-2051 (Rev. 3/2001)		•